

Call to Order:

The meeting was called to order at 7:35 p.m. Present were Chair, Joan Duff, and members Linn Anderson, Jay Doherty, Vincent Chiozzi and John McDonnell (arrived 8:20 p.m.); also present was Paul Materazzo, Director of Planning.

Planning Session: (Overlay Districts)

Mr. Materazzo gave an overview of a PowerPoint presentation that was presented to the Board at their last planning session for overlay districts (OD). Ms. Anderson noted that in the past overlay districts were created to preserve unique geographic or sensitive areas, not to allow specific uses. Mr. Materazzo reviewed other communities that have utilized OD as a tool to help stimulate targeted and controlled economic growth. Mr. Materazzo reminded the Board of the 40R/Smart Growth Overlay for the Town Yard area as another example. Ms. Anderson noted that to know what was best for the community you have to look at the site and surrounding areas to determine if a zoning change or a OD is best for that area. Mr. Materazzo noted that the Board has to determine if they want to change the uses in all ID districts, or whether the Board would prefer to allow specific zoning changes in a site-specific location. Mr. Materazzo noted that the character and makeup of the River Road Industrial corridor has a different flavor/makeup than the Dascomb Road corridor and the Lowell Junction Industrial area. Mr. Materazzo noted that he does not believe changing the uses in all ID districts would result in predictable results; instead it might create potential incompatible uses within the various established ID districts. Ms. Anderson referenced a comment from a class she attended on writing defensible decisions. She noted that the speaker at the class said that it was possible to issue different decisions on similar applications within the same zoning district as long as each decision was carefully documented and explicit as to why different decisions were made in each case.. Ms. Anderson asked how an overlay district allowing specific uses within an existing zoning district was different from spot zoning, which would allow changes because a private developer wanted to allow certain uses in an area. Mr. Materazzo noted that certain use needs have been identified in the Vision 21 and Master Plan and he continued his review of a PowerPoint Presentation with other parts of Town which the Board may want to consider for an OD. The Board discussed the zoning in the downtown area and raised questions as to why the zoning stopped at certain streets. The Board had further discussion as to whether or not the GB District should be expanded, and if the Special Permit process would be an appropriate method for permitting.

Dascomb Road Rezoning:

The Board took up a discussion that was continued from the Oct. 25th meeting on a potential overlay district on Dascomb Rd. William Zielinski, the developer for Dascomb Rd., gave an overview of the area. He described the unique characteristics of the area, including the site's proximity to the I-93 interchange and the traffic flow. There was discussion about overlay districts in other communities. Ms. Anderson gave an overview of the River Road overlay district that was presented at town meeting last year, and noted that one objection presented by the abutters was that the proposed change was "spot" zoning. Mr. Zielinski noted that he had spoken with one abutter across the street, who was in favor of an overlay district, and added that he would speak with other abutters as well. Attorney Mark Johnson, representing the developer, gave an overview of a matrix that showed the existing uses now allowed in the ID District and the changes he proposes to the Table of Use. Ms. Anderson suggested that in any case where there is a change to the table of uses from a no to yes, or where there is a change in

Dascomb Road Rezoning (cont.):

the permit granting authority from the Board of Appeals to the Planning Board, there should be input from the Zoning Board of Appeals. Mr. Materazzo noted that Board needs to determine whether they plan to consider sponsoring the article, or if the applicant should sponsor the article. Ms. Anderson said that in her opinion, the Board should not sponsor the article based on changes to zoning initiated from a landowner. Attorney Johnson stated that if the article makes sense from a planning standpoint, and its part of the Master Plan. it makes sense that the Board would sponsor the article. Mr. McDonnell noted that at the last meeting, the traffic engineer reviewed traffic and signalization at two intersections. The Board discussed traffic in the area and discussed whether or not the roadways could handle additional traffic. Attorney Johnson reviewed what could be built by right under current zoning in the area. The Board discussed the pros and cons of the proposed overlay district, and whether the Developer or the Planning Board should sponsor the article. The Board agreed that revision to the allowed uses in the ID District at Dascomb and I-93 was a concept that should be explored, but the Board felt that there were significant unanswered questions that needed further research.

The Board expressed general support for a private article for an overlay district at the intersection of Dascomb Road and I-93. . Attorney Johnson asked if the Board was comfortable with the proposed changes in the table of use. The Board discussed town meeting warrant article procedures, change in use, current zoning and build out. Attorney Johnson reviewed the special permit criteria and noted that the Board would have final approval with significant discretion during the public hearing process. The Board expressed concern that there would be many questions raised at Town Meeting about traffic, cost, and other impacts to the Town, all of which should be addressed prior to Town Meeting. Attorney Johnson asked why the Board would not sponsor the article. The Board noted that they would like input from the Zoning Board of Appeals, the Board of Selectmen, and the two owners of abutting parcel. The Board suggested Selectman Paul Salafia, liaison to the Planning Board, be invited to the next discussion on the Dascomb Rd rezoning.

Town Yard:

Mr. Materazzo gave the Board an update of the Town Yard and the Town Yard Task Force's findings.

Adjournment: The meeting was adjourned 9:45 p.m.